

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

DONALD CHADWICK COKELY,)	
)	
Petitioner,)	
)	
v.)	Case No. 1:21-cv-00491-ACA-GMB
)	
JIMMY KILGORE,)	
)	
Respondent.)	

MEMORANDUM OPINION

Petitioner Donald Chadwick Cokely filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. (Doc. 1). The magistrate judge entered a report recommending that the court dismiss this action without prejudice based on Mr. Cokely's failure to prosecute. (Doc. 10). The report and recommendation was returned to the court as undeliverable. (Doc. 11).

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court **ADOPTS** the magistrate judge's report and **ACCEPTS** his recommendation. Accordingly, the court **WILL DISMISS** this action **WITHOUT PREJUDICE** for failure to prosecute.

The court will enter a separate final order consistent with this opinion.

The court **DIRECTS** the Clerk to send a copy of this memorandum opinion and the final order to Mr. Cokely at his last known address of record.

DONE and **ORDERED** this July 19, 2021.

A handwritten signature in black ink, appearing to read 'Annemarie', written over a horizontal line.

ANNEMARIE CARNEY AXON
UNITED STATES DISTRICT JUDGE